

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
WESTERN DIVISION

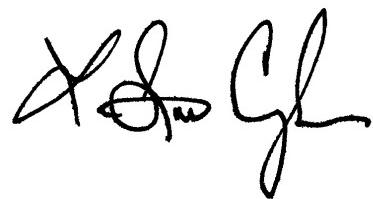
WALTER MELTON,)
)
Plaintiff,)
)
v.) Case No. 7:11-cv-01115-LSC-PWG
)
SHERIFF DAVID ABSTON, *et al.*,)
)
Defendants.)

MEMORANDUM OF OPINION AND ORDER

The magistrate judge filed a report on June 29, 2011, recommending that the defendant identified as Pickens County be dismissed from this action, pursuant to 28 U.S.C. § 1915A(b)(1). Although the plaintiff was advised of his right to file specific written objections within fifteen days, he has failed to respond to the report and recommendation.

Having carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation, the Court is of the opinion that the magistrate judge's report is due to be and hereby is ADOPTED and the recommendation is ACCEPTED. The court finds that the plaintiff's complaint fails to state a claim against defendant Pickens County. Accordingly, it is ORDERED that the claims against Pickens County be and hereby are DISMISSED WITHOUT PREJUDICE, pursuant to 28 U.S.C. § 1915A(b)(1).

Done this 4th day of August 2011.



L. SCOTT COOGLER

UNITED STATES DISTRICT JUDGE

167037